

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations
(Banks, Redmond, and Corvallis,¹ Oregon)

) MM Docket No. 96-7

) RM-8732

DOCKET FILE COPY ORIGINAL

and

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations
(The Dalles and Corvallis,² Oregon)

) MM Docket No. 96-12

) RM-8741

To: Chief, Allocations Branch
Mass Media Bureau

CONSOLIDATED JOINT COUNTERPROPOSAL REPLY COMMENTS

COMMON GROUND BROADCASTING, INC. ("Common Ground"), licensee of Station KDBX(FM), Banks, Oregon, and COMBINED COMMUNICATIONS, INC. ("CCI"), licensee of Station KLRR(FM), Redmond, Oregon (together, the "Joint Proponents"), by their attorneys, pursuant to §1.415(d) of the Commission's Rules, hereby submit their Consolidated Joint Counterproposal Reply Comments in support of a "global solution" to the two above-captioned proceedings. In support whereof, the Joint Proponents show the following:

I. Background

1. The subject rulemaking proceeding in MM Docket No. 96-7 ("Docket 96-7") was initiated by Notice of Proposed Rule Making and Order to Show Cause, 11 FCC Rcd 1686 (Mass Media Bur. 1996), following a petition for rulemaking filed by Common Ground. The

¹ The community of Corvallis, Oregon has been added to the caption.

² The community of Corvallis, Oregon has been added to the caption.

Joint Proponents filed Joint Comments and Joint Reply Comments supporting: (a) substitution of Channel 298C1 for Channel 298C2 at Banks and the modification of Station KDBX's license accordingly; and (b) substitution of Channel 269C2 for Channel 298C2 at Redmond and the modification of Station KLRR's license accordingly.³ The proceeding in MM Docket No. 96-12 ("Docket 96-12") was initiated by Notice of Proposed Rule Making and Order to Show Cause, 11 FCC Rcd 1788 (Mass Media Bur. 1996), following a petition for rulemaking filed by LifeTalk Broadcasting Association ("LifeTalk"), which requested the allotment of Channel 268C3 to The Dalles and its reservation for noncommercial educational use.

2. The proposals of the Joint Proponents and LifeTalk are not mutually exclusive with each other. What warrants their consideration in a consolidated pleading is the Commission's Public Notice (Report No. 2135, "Petitions for Rulemaking Filed"), released June 5, 1996, which states that the one-step upgrade FCC Form 301 application filed by Madgekal Broadcasting, Inc. ("Madgekal"), licensee of Station KFLY(FM), Corvallis, Oregon, is being considered by the Commission as a counterproposal in Dockets 96-7 and 96-12, pursuant to FM Channel and Class Modifications, 8 FCC Rcd 4735, 4739 ¶18 (1993). Madgekal's application proposes to upgrade Station KFLY from Channel 268C2 to Channel 268C, which is mutually

³ The Joint Reply Comments also addressed a counterproposal filed on March 28, 1996 by Hurricane Communications, Inc. ("Hurricane"), which proposed allotting Channel 269C2 to Sun River, Oregon, instead of to Redmond. The Joint Proponents showed that Channel 224C2 could be allotted to Sun River in lieu of Channel 269C2, and by letter dated May 6, 1996, Hurricane stated (at p. 2) that it "will not raise any objection to the allocation of channel 224C2 to Sun River as proposed by KDBX in place of channel 269C2 as proposed by Hurricane". Since the Commission has not placed Hurricane's counterproposal on Public Notice, the Joint Proponents assume that it will not be considered in Docket 96-7. However, the Joint Proponents submit that their proposed resolution of the mutual exclusivity posed by Hurricane's original counterproposal remains valid in the event that the Commission does consider Hurricane's counterproposal on its merits.

exclusive with the allotment of Channel 269C2 at Redmond and the allotment of Channel 268C3 at The Dalles. However, as the Joint Proponents will now demonstrate, if the Commission upgrades Station KFLY to Channel 268C~~1~~, instead of Channel 268C~~2~~, and if different site reference coordinates are specified for LifeTalk's proposed allotment of Channel 268C3 to The Dalles, a "global solution" results, in which all of the four participants in the two rulemaking proceedings will receive either a new, improved, or equivalent FM allotment. Surely such a result is in the paramount public interest.

II. The Joint Proponents' "Global Solution" Is Preferable To Grant of Madgekal's Application/Counterproposal

3. Attached hereto is an Engineering Statement ("Engineering Statement" or "Eng. Stat.") by Ms. Laura M. Mizrahi of Communications Technologies, Inc., which analyzes and compares the three allotment proposals herein (Banks/Redmond, The Dalles, and Corvallis) in terms of net gains in area and population served and alternative resolutions of the mutual exclusivities. Alternative 1 (grant of the Banks/Redmond and The Dalles allotments and denial of Madgekal's Corvallis application) would provide a net gain in service area of 13,075 square kilometers and a net gain in potential audience population of 270,406 persons. See Eng. Stat., Exh. 1, p. 1.⁴ Alternative 2 (grant ONLY of Madgekal's application for a full Class C upgrade) would provide a net gain in service area of 9,490 square kilometers and a net gain in potential audience population of 325,969 persons. Id.

⁴ In computing areas and populations, the Engineering Statement uses the actual Class C facilities proposed by Madgekal, in accordance with FM Table of Allotments (Greenup KY and Athens OH), 4 FCC Rcd 3843, 3845 n.12 (Mass Media Bur. 1989), rev. granted on other grounds, 6 FCC Rcd 1493 (1991), appeal dismissed sub nom. WATH, Inc. v. FCC, No. 91-1268 (D.C. Cir. Sept. 26, 1991).

4. However, as stated in Paragraph 2 above, the Joint Proponents have fashioned a "global solution" to the two subject rulemaking proceedings, which will permit all of the four participants herein to receive either a new, improved, or equivalent FM allotment, and, most importantly, will obviate the need for the Commission to make an all-or-nothing comparative allotment choice between Alternative 1 and Alternative 2. This "global solution" is identified as Alternative 3 in the Engineering Statement and is summarized as follows:

Alternative 3 - "Global Solution"

<u>Community</u>	<u>Present Chan.</u>	<u>Proposed Chan.</u>	<u>Call Sign</u>
Banks, OR	298C2	298C1	KDBX
Redmond, OR	298C2	269C2	KLRR
The Dalles, OR	--	* 268C3⁵	(New)
Corvallis, OR	268C2	268C1	KFLY

5. Commission precedent clearly favors channel allotment resolutions, such as Alternative 3, which maximize the number of communities that will receive new local transmission outlets and upgraded facilities as a result. See Archilla-Marcocci Spanish Radio Co., 101 FCC 2d 522 (Rev. Bd. 1985), rev. denied, FCC 86-271 (Comm'n May 30, 1986)(§307(b) of the Communications Act is better served by granting proposals to serve three communities instead of one). As the Engineering Statement concludes (at p. 2), Alternative 3

⁵ The Joint Proponents propose alternate site coordinates for this allotment in order to avoid shortspacing with the proposal that Channel 268C1 be allotted to Station KFLY, instead of Channel 268C. The coordinates are North Latitude 45° 34' 00" and West Longitude 120° 55' 00". The alternate site will place a 70 dBu contour over The Dalles as shown on Figure 1 of the Engineering Statement.

yields a superior gain in area served (21,568 square kilometers) and population served (568,642 persons) than either Alternative 1 or Alternative 2. and, at the same time, it permits two upgrades and one new local transmission service to be granted, as opposed to the one upgrade and one new local service proposed in Alternative 1 or the one upgrade (alone) proposed in Alternative 2. Thus, Alternative 3 gives Madgekal a 299,245-person population gain (Class C1 upgrade), which is only 26,724 persons less than the 325,969-person gain which Madgekal's full Class C upgrade would provide, while, most importantly, Alternative 3 also allots a first noncommercial educational service to The Dalles, with a predicted population gain of 48,075 persons, which is totally precluded if Madgekal's full Class C proposal (Alternative 2) is granted. See Eng. Stat., Exh. 1, pp. 1-2. Hence, the Joint Proponents submit that Alternative 3 fully comports with the Commission's obligation to make a "fair, efficient, and equitable distribution" of radio stations under the criteria of Section 307(b) of the Communications Act of 1934, as amended, 47 U.S.C. §307(b), FM Channel Policies/ Procedures, 90 FCC 2d 88, 92 n.8 (1982), and Archilla-Marcocci Spanish Radio Co., supra, and that grant of the allotments proposed in the "global solution" are in the paramount public interest.

6. As to the propriety of advancing a "global solution" at this point in the rulemaking proceedings, it is clear that the "Commission may allot an alternate channel in order to resolve conflicts between proposals". See FM Table of Allotments (Salem and New Martinsville, WV), DA 95-2391 n.4 (Mass Media Bur. 1995), citing Pinewood, SC, 5 FCC Rcd 7609 (1990). Similarly, the Commission has held that "it is appropriate to suggest in reply comments alternate channels for communities at issue in a proceeding". See FM Table of Allotments (Corpus Christi and Three Rivers TX), 11 FCC Rcd 517 ¶5 (Mass Media Bur. 1996). Thus, since

Alternative 3 represents a "global solution" which resolves existing allotment conflicts in the subject proceedings, the Joint Proponents submit that the "global solution" fully complies with Commission policy and case precedent and should be adopted.

7. Alternatively, it is well established that where an allotment choice must be made among upgrade and new allotment proposals, and, as here, no first or second aural reception service or first local transmission service is involved, the Commission reaches its public interest determination by comparing and weighing all relevant engineering and socio-economic factors, including number of local services, the need for or lack of public radio service, relative size of communities, and a comparison of the areas and populations within the predicted gain areas. See FM Channel Policies/Procedures, supra; FM Table of Allotments (Greenup KY and Athens OH), supra note 4; FM Table of Allotments (Neenah-Menasha, Rhinelander and Rudolph WI), 7 FCC Rcd 4594 (Mass Media Bur. 1992).

8. Applying these criteria, the Joint Proponents urge that there are several important reasons why the greater population gain that Alternative 2 has over Alternative 1 is insufficient to warrant granting Madgekal's proposal. Thus, if the Commission declines to adopt Alternative 3's "global solution," the Joint Proponents submit that Alternative 1 (the Banks/Redmond and The Dalles proposals) should be granted for the following four reasons. First, Madgekal's full Class C proposal (Alternative 2) would provide service to a significantly smaller service area than the Banks/Redmond and The Dalles proposals (9,490 square kilometers versus 13,075 square kilometers -- 27.4% less). See Eng. Stat., Exh. 1, p. 1. Second, Madgekal's population advantage over Alternative 1 is only 55,563 persons (20.5% more -- 325,969 persons versus 270,406 persons). Where the population advantage is this small and other comparative factors

favor grant of the Banks/Redmond and The Dalles proposals, the Joint Proponents urge that the Commission should not accord dispositive weight to the population gain factor. Cf. FM Table of Allotments (Neenah-Menasha, Rhinelander and Rudolph WI), supra, 7 FCC Rcd at 4595 ¶9 (proposal resulting in additional service to 388,357 persons dispositively favored over proposal resulting in additional service to 46,840 persons). Next, the Joint Proponents again emphasize that LifeTalk is proposing the first noncommercial educational allotment for The Dalles (1990 U.S. Census population of 11,060 persons), and that providing such a service is specifically identified in FM Channel Policies/Procedures, supra, 90 FCC 2d at 92 n.8, as a factor warranting special consideration in a comparative allotment analysis.

9. Finally, the Joint Proponents urge that Madgekal should be denied its requested full Class C upgrade for the simple reason that, five years ago -- on July 9, 1991 -- Madgekal was granted a construction permit for the very upgrade which it now seeks (Permit File No. BPH-900730IC), the permit expired 18 months later (January 9, 1993) without any construction having been undertaken, and the Commission cancelled the permit by letter dated August 19, 1993. The Joint Proponents submit that, since Madgekal has so recently misused the Commission's processes concerning this very matter, Madgekal has forfeited the right to claim any preference for its proposed full Class C upgrade. Put differently, Madgekal has already had one chance to upgrade to Class C and frittered it away. Now other communities should be given a chance to implement a channel upgrade (Banks) and a first noncommercial educational station

(The Dalles) without Madgekal's interference. In sum, when all relevant comparative factors are considered, Alternative 1 should be preferred over Alternative 2.⁶

III. Conclusion

10. The "global solution" proposed herein will permit two stations -- KDBX and KFLY -- to upgrade their facilities and LifeTalk to establish a first noncommercial educational station at The Dalles. The "price" is merely requiring Madgekal to accept a Class C1 upgrade, instead of the full Class C upgrade for which it has applied. Commission precedent clearly favors channel allotment resolutions which maximize the number of communities that will have new or upgraded facilities. See Archilla-Marcocci Spanish Radio Co., supra. Thus, grant of the Joint Proponents' "global solution" is fully consistent with Commission policy, case precedent, and the paramount public interest, and it should be adopted by the Commission. Alternatively, Madgekal's full Class C application/counterproposal should be rejected on a comparative allotment basis and the proposals of the Joint Proponents and LifeTalk should be granted (Alternative 1).

WHEREFORE, in view of the foregoing, Common Ground and CCI respectfully ask the Commission to amend the FM Table of Allotments and modify the licenses of the affected stations as described in Paragraph 4 above.

⁶ If the Commission is inclined to grant Alternative 1, instead of Alternative 3, it may wish to restrict LifeTalk's Channel 268C3 site in accordance with footnote 5, supra. In that way, Madgekal will be free to amend its Form 301 application/counterproposal to specify operations on Channel 268C1 without being shortspaced to The Dalles' Channel 268C3 allotment. Then, Madgekal can obtain a Class C1 upgrade under Alternative 1 or Alternative 3.

Respectfully submitted.

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Dated: July 3, 1996

ENGINEERING STATEMENT
IN THE MATTER OF
AMENDMENT OF SECTION 73.202 (B)
TABLE OF ALLOTMENT
AREA AND POPULATION COMPARISON
BANKS AND REDMOND, OREGON
MM DOCKET NO. 96-7, RM-8732
AND
THE DALLES, OREGON
MM DOCKET NO. 96-12, RM 8741

JUNE 1996

**ENGINEERING STATEMENT
IN THE MATTER OF
AMENDMENT OF SECTION 73.202 (B)
TABLE OF ALLOTMENTS
BANKS AND REDMOND, OREGON
MM DOCKET NO. 96-7, RM-8732
AND
THE DALLES, OREGON
MM DOCKET NO. 96-12, RM 8741**

JUNE 1996

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**ENGINEERING STATEMENT
IN THE MATTER OF
AMENDMENT OF SECTION 73.202 (B)
TABLE OF ALLOTMENTS
BANKS AND REDMOND, OREGON
MM DOCKET NO. 96-7, RM-8732
AND
THE DALLES, OREGON
MM DOCKET NO. 96-12, RM 8741**

JUNE 1996

SUMMARY

The following engineering statement has been prepared on behalf of **Common Ground Broadcasting, Inc. ("KDBX")**, licensee of FM broadcasting station **KDBX**, Banks, Oregon. **KDBX** has petitioned the Commission to upgrade **KDBX** from Channel 298C2 to Channel 298C1 at its existing site coordinates. To accommodate this upgrade, station **KLRR** Channel 298C2, Redmond, Oregon must vacate its current channel. Channel 269C2 has been proposed as a substitution for **KLRR**, and **KLRR** has consented. These changes to the Table of Allotments are part of MM Docket No. 96-7.

On February 6, 1996 **KFLY**, Corvallis, Oregon filed a one step upgrade application to change from Channel 268C2 to Channel 268C. This upgrade is mutually exclusive with a petition to add Channel 268C3 at The Dalles, Oregon, in MM Docket No. 96-12 and with the **KLRR** channel change discussed above.

The purpose of this statement is to describe a "global solution" which allows each of the four participants in the Docket No. 96-7 and 96-12 proceedings to gain a new, improved, or equal FM allotment, which is in the paramount public interest.

THE PROPOSAL

Attached as Exhibit I is the area and population data for each of the four participants in the two subject rulemaking proceedings. Site coordinates were taken from MM Docket Nos. 96-7 and 96-12 and from

the KFLY 301 upgrade application (BPH-960206IE). All contours were determined using FCC 73.333 (F50:50) curves and terrain data from the NGDC 30 second database using 72 evenly spaced radials.

Under Alternative 1, the Banks, Redmond and The Dalles proposals can be granted as a group with a net gain of 13,075 square kilometers and a total population gain of 270,406 persons. Alternative 2 depicts grant of the KFLY Corvallis, Oregon one step full Class C upgrade, which would yield a total gain of 9,490 square kilometers and 325,969 persons but would require denial of the Banks upgrade and prevent establishment of a first non-commercial educational FM service at The Dalles..

Alternative 3 represents **KDBX's** "global solution" to the two proceedings which will remove the mutual exclusivity created by the KFLY full Class C proposal and will permit all four participants in the two rulemaking proceedings to benefit. The proposal is as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Banks, Oregon	Channel 298C2	Channel 298C1
Redmond, Oregon	Channel 298C2	Channel 269C2
The Dalles, Oregon (alternate coordinates)	---	Channel 268C3
Corvallis, Oregon	Channel 268C2	Channel 268C1

In short, **KDBX** has determined that if the Commission allots Channel 268C1 to KFLY, instead of Channel 268C, and if different site coordinates are specified for The Dalles Channel 268C3 allotment, then Alternative 3 yields a superior gain in area served (21,568 Square Kilometers) and population served (568,642 persons), which makes grant of Alternative 3 preferable to either Alternative 1 or Alternative 2. Alternate site coordinates are specified for The Dalles, Oregon in order to avoid short spacing with a KFLY Channel 268C1 facility. They are North Latitude 45° 34' 00" and West Longitude 120° 55' 00". The alternate site will place a 70 dBu contour over The Dalles as shown on

Figure 1. Figure 2 is a predicted service area map for KFLY using the site location and RC AMSL from BPH-960206IE. KFLY's ERP is reduced to 77 kW to equal a full C1 facility of 100 kW at 299 meters HAAT.

CONCLUSION

The foregoing was prepared on behalf of **Common Ground Broadcasting, Inc.** by Laura M. Mizrahi of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of her own knowledge, except such statements made on information and belief, and as to these statements she believes them to be true and correct.

By 
Laura M. Mizrahi
for Communications Technologies, Inc.
Marlton, New Jersey

SUBSCRIBED AND SWORN TO before me,

this 2nd day of July, 1996.

, NOTARY PUBLIC

ESTHER G. SPERBECK
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES OCT 15, 1997

TABLE I

**ALLOCATION STUDY AT
ALTERNATE COORDINATES
FOR CHANNEL 268C3
THE DALLES, OREGON**

JUNE 1996

Search of channel 268C3 (101.5 MHz) at N. 45 34 0, W. 120 55 0.

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
NEW-T	The Dalles	OR	215	D	A	20.1	0.0	280.1°	20.1
ALC	Corvallis	OR	268	C	V	212.1	237.0	241.0°	-24.9
ALC	Corvallis	OR	268	C2	U	212.9	177.0	239.6°	35.9
ALC	The Dalles	OR	268	C3	A	16.8	153.0	253.7°	-136.2
KFLY	Corvallis	OR	268	C2	L	212.9	177.0	239.6°	35.9
KFLY	Corvallis	OR	268	C	A	212.1	237.0	241.0°	-24.9
ALC	Seattle	WA	268	C	U	238.1	237.0	337.4°	1.1
KPLZ	Seattle	WA	268	C	L	238.1	237.0	337.4°	1.1
ALC	Prosser	WA	269	C3	U	113.6	99.0	52.7°	14.6
KZXR	Prosser	WA	269	C3	L	113.6	99.0	52.7°	14.6

* All distance computations performed in accordance
with *Section 73.208* from proposed site location:

North Latitude: 45° 34' 00"
West Longitude: 120° 55' 00"

TABLE II

DISTANCE TO CONTOUR DATA FOR THE DALLES, OREGON ALTERNATE COORDINATES (as described in accompanying engineering statement)

JUNE 1996

DISTANCES TO CONTOURS (Kilometers)

Frequency: 101.5000 MHz
Coordinates: N 45 34 0 W 120 55 0
F(50,50) Curves Number of Contours: 2

AZ (deg)	HAAT (m)	ERP (kW)	CONTOUR LEVELS (dBu): 70.0 60.0	
.0	134	25.0000	26.4	43.8
5.0	182	25.0000	30.3	49.6
10.0	204	25.0000	32.1	51.4
15.0	239	25.0000	34.7	54.2
20.0	261	25.0000	36.1	55.8
25.0	271	25.0000	36.7	56.5
30.0	266	25.0000	36.4	56.2
35.0	241	25.0000	34.9	54.4
40.0	202	25.0000	31.9	51.3
45.0	180	25.0000	30.2	49.4
50.0	164	25.0000	28.9	47.7
55.0	152	25.0000	27.9	46.3
60.0	135	25.0000	26.4	43.9
65.0	122	25.0000	25.4	42.3
70.0	113	25.0000	24.6	41.0
75.0	102	25.0000	23.5	39.4
80.0	77	25.0000	20.5	34.8
85.0	55	25.0000	17.3	29.8
90.0	42	25.0000	14.9	26.3
95.0	11	25.0000	12.7	22.8
100.0	-10	25.0000	12.7	22.8
105.0	-45	25.0000	12.7	22.8
110.0	-74	25.0000	12.7	22.8
115.0	-101	25.0000	12.7	22.8
120.0	-63	25.0000	12.7	22.8
125.0	11	25.0000	12.7	22.8
130.0	57	25.0000	17.7	30.4
135.0	60	25.0000	18.1	31.1
140.0	72	25.0000	19.8	33.8
145.0	94	25.0000	22.5	38.0
150.0	40	25.0000	14.5	25.7
155.0	-30	25.0000	12.7	22.8
160.0	16	25.0000	12.7	22.8
165.0	-11	25.0000	12.7	22.8
170.0	-98	25.0000	12.7	22.8

TABLE II

~ 2 ~

AZ (deg)	HAAT (m)	ERP (kW)	CONTOUR LEVELS (dBu) :	
			70.0	60.0
175.0	-137	25.0000	12.7	22.8
180.0	-177	25.0000	12.7	22.8
185.0	-195	25.0000	12.7	22.8
190.0	-190	25.0000	12.7	22.8
195.0	-145	25.0000	12.7	22.8
200.0	-107	25.0000	12.7	22.8
205.0	-74	25.0000	12.7	22.8
210.0	-36	25.0000	12.7	22.8
215.0	-1	25.0000	12.7	22.8
220.0	39	25.0000	14.2	25.3
225.0	62	25.0000	18.4	31.6
230.0	85	25.0000	21.5	36.4
235.0	118	25.0000	25.1	41.8
240.0	132	25.0000	26.2	43.6
245.0	131	25.0000	26.1	43.4
250.0	140	25.0000	26.9	44.6
255.0	158	25.0000	28.4	47.0
260.0	164	25.0000	28.9	47.7
265.0	191	25.0000	31.0	50.3
270.0	197	25.0000	31.5	50.9
275.0	210	25.0000	32.6	51.9
280.0	222	25.0000	33.5	52.9
285.0	228	25.0000	34.0	53.4
290.0	242	25.0000	34.9	54.5
295.0	225	25.0000	33.7	53.1
300.0	230	25.0000	34.1	53.5
305.0	265	25.0000	36.3	56.1
310.0	266	25.0000	36.3	56.2
315.0	299	25.0000	38.3	58.6
320.0	275	25.0000	36.9	56.9
325.0	245	25.0000	35.1	54.7
330.0	201	25.0000	31.8	51.2
335.0	179	25.0000	30.1	49.3
340.0	144	25.0000	27.2	45.2
345.0	114	25.0000	24.7	41.3
350.0	125	25.0000	25.7	42.7
355.0	143	25.0000	27.1	45.0

TABLE III

DISTANCE TO CONTOUR DATA FOR
KFLY EQUIVALENT CLASS C1 FACILITIES
CORVALLIS, OREGON

JUNE 1996

DISTANCES TO CONTOURS (Kilometers):

Frequency: 101.5000 MHz
 Coordinates: N 44 38 24 W 123 16 25
 F(50,50) Curves Number of Contours: 2

AZ (degs)	HAAT (m)	ERP (kW)	CONTOUR LEVELS (dBu): 70.0 60.0	
.0	366	77.0000	51.9	74.6
5.0	382	77.0000	52.8	75.7
10.0	391	77.0000	53.3	76.3
15.0	396	77.0000	53.6	76.8
20.0	396	77.0000	53.6	76.8
25.0	381	77.0000	52.7	75.6
30.0	382	77.0000	52.8	75.7
35.0	387	77.0000	53.1	76.1
40.0	391	77.0000	53.3	76.4
45.0	400	77.0000	53.8	77.1
50.0	405	77.0000	54.0	77.4
55.0	407	77.0000	54.1	77.5
60.0	406	77.0000	54.1	77.5
65.0	401	77.0000	53.8	77.1
70.0	399	77.0000	53.7	77.0
75.0	403	77.0000	53.9	77.3
80.0	406	77.0000	54.1	77.5
85.0	409	77.0000	54.3	77.7
90.0	419	77.0000	54.8	78.5
95.0	423	77.0000	55.0	78.7
100.0	425	77.0000	55.1	78.9
105.0	425	77.0000	55.2	78.9
110.0	425	77.0000	55.1	78.9
115.0	425	77.0000	55.2	78.9
120.0	425	77.0000	55.1	78.9
125.0	425	77.0000	55.1	78.9
130.0	425	77.0000	55.1	78.9
135.0	424	77.0000	55.1	78.9
140.0	424	77.0000	55.1	78.8
145.0	424	77.0000	55.1	78.8
150.0	422	77.0000	55.0	78.7
155.0	421	77.0000	54.9	78.6
160.0	420	77.0000	54.9	78.5
165.0	419	77.0000	54.8	78.4

TABLE III

~ 2 ~

AZ (degs)	HAAT (m)	ERP (kW)	CONTOUR 70.0	LEVELS (dBu) : 60.0
170.0	416	77.0000	54.7	78.2
175.0	413	77.0000	54.5	78.0
180.0	409	77.0000	54.3	77.7
185.0	401	77.0000	53.8	77.1
190.0	395	77.0000	53.5	76.7
195.0	390	77.0000	53.2	76.3
200.0	385	77.0000	52.9	75.9
205.0	379	77.0000	52.6	75.5
210.0	364	77.0000	51.8	74.4
215.0	341	77.0000	50.3	72.8
220.0	326	77.0000	49.4	71.7
225.0	290	77.0000	47.0	68.9
230.0	276	77.0000	46.1	67.8
235.0	258	77.0000	44.9	66.4
240.0	227	77.0000	42.9	63.8
245.0	234	77.0000	43.4	64.4
250.0	215	77.0000	42.0	62.7
255.0	184	77.0000	39.6	59.9
260.0	159	77.0000	37.2	57.2
265.0	150	77.0000	36.1	56.1
270.0	169	77.0000	38.3	58.4
275.0	186	77.0000	39.8	60.0
280.0	211	77.0000	41.7	62.3
285.0	246	77.0000	44.1	65.4
290.0	259	77.0000	45.0	66.4
295.0	251	77.0000	44.5	65.8
300.0	223	77.0000	42.6	63.4
305.0	225	77.0000	42.7	63.5
310.0	207	77.0000	41.4	61.9
315.0	201	77.0000	40.9	61.4
320.0	203	77.0000	41.1	61.6
325.0	232	77.0000	43.2	64.2
330.0	264	77.0000	45.3	66.8
335.0	297	77.0000	47.5	69.5
340.0	321	77.0000	49.1	71.3
345.0	324	77.0000	49.2	71.5
350.0	335	77.0000	49.9	72.3
355.0	352	77.0000	51.0	73.6

EXHIBIT I

AREA AND POPULATION COMPARISON BANKS AND REDMOND, OREGON MM DOCKET NO. 96-7, RM-8732 AND THE DALLES, OREGON MM DOCKET NO. 96-12, RM 8741 JUNE 1996

ALTERNATIVE 1:

<u>Community</u>	<u>Facility</u>	<u>Area Sq. kM</u>	<u>Population Persons</u>
Banks, OR	Ch 298C2	8,486	1,518,676
	Ch 298C1	<u>16,394</u>	<u>1,749,998</u>
	gain	7,908 Sq. kM	221,322 persons
Redmond, OR	Ch 298C2	8,263	92,420
	Ch 269C2	<u>8,263</u>	<u>92,420</u>
	gain	0 Sq. kM	0 persons
The Dalles, OR	Ch 268C3	5,167	49,084
	total gain	<u>13,075</u> Sq. kM	<u>270,406</u> persons

ALTERNATIVE 2:

Corvallis, OR	Ch 268C2	8,410	438,351
	Ch 268C	<u>17,900</u>	<u>764,320</u>
	gain	9,490 Sq. kM	325,969 persons
Gain-ALTERNATIVE 1 vs. ALTERNATIVE 2		3,585 Sq. kM	(55,563) persons

EXHIBIT I

~ 2 ~

ALTERNATIVE 3:

<u>Community</u>	<u>Facility</u>	<u>Area Sq. kM</u>	<u>Population Persons</u>
Banks, OR	Ch 298C2	8,486	1,518,676
	Ch 298C1	<u>16,394</u>	<u>1,749,998</u>
	gain	7,908 Sq. kM	221,322 persons
Redmond, OR	Ch 298C2	8,263	92,420
	Ch 269C2	<u>8,263</u>	<u>92,420</u>
	gain	0 Sq. kM	0 persons
The Dalles, OR (Alternate Site)	Ch 268C3	5.390 Sq. kM	48,075 persons
Corvallis, OR	Ch 268C2	8,410	438,351
	Ch 268C1	<u>16,680</u>	<u>737,596</u>
	gain	8,270 Sq. kM	299,245 persons
	total gain	21,568 Sq. kM	568,642 persons

- Notes:
1. Population Data from 1990 U.S. Census and counted at the block level.
 2. Area data is total area within the 60 dBu contour. Water or area outside U.S. Corp. Boundary not deducted from total.

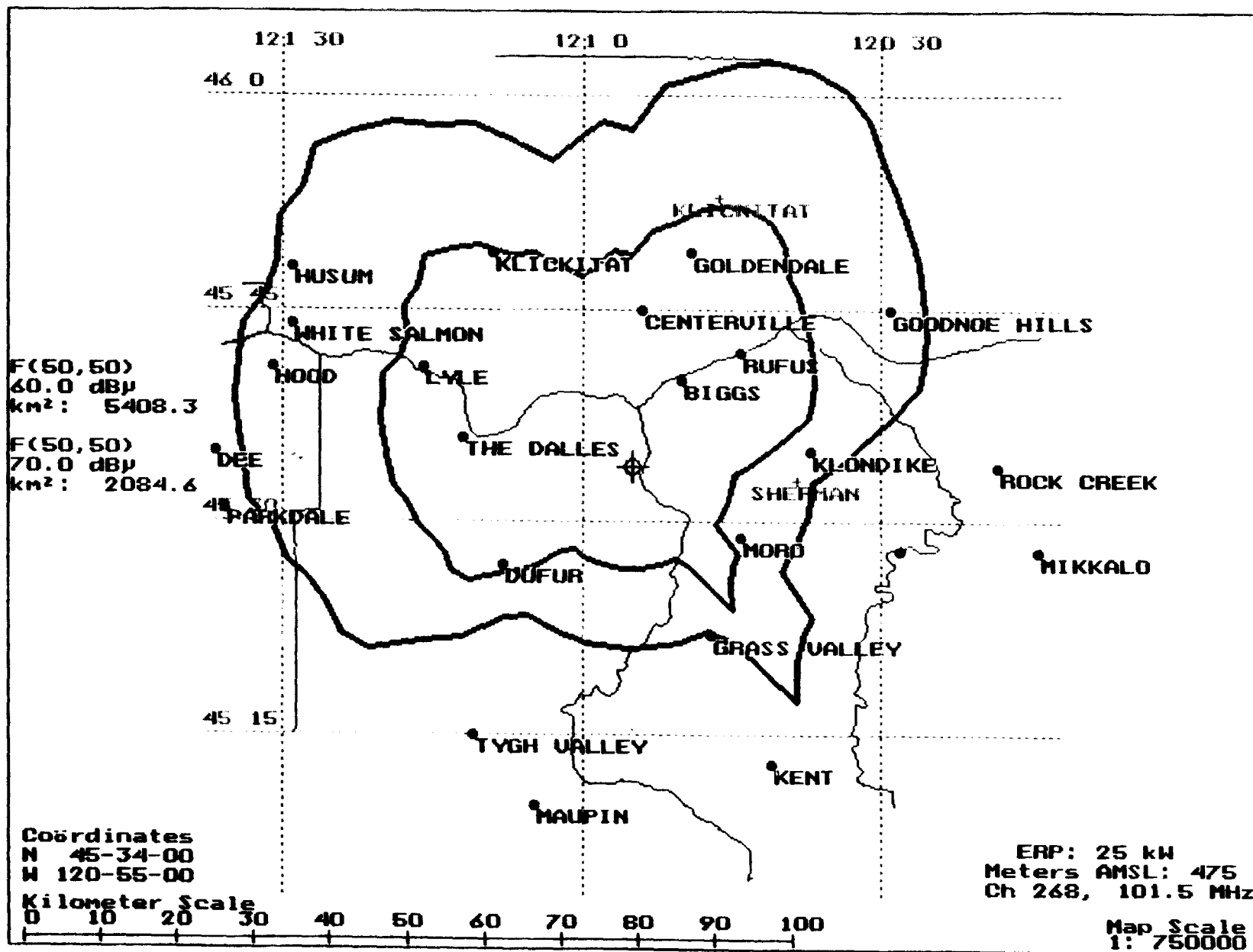


Figure 1

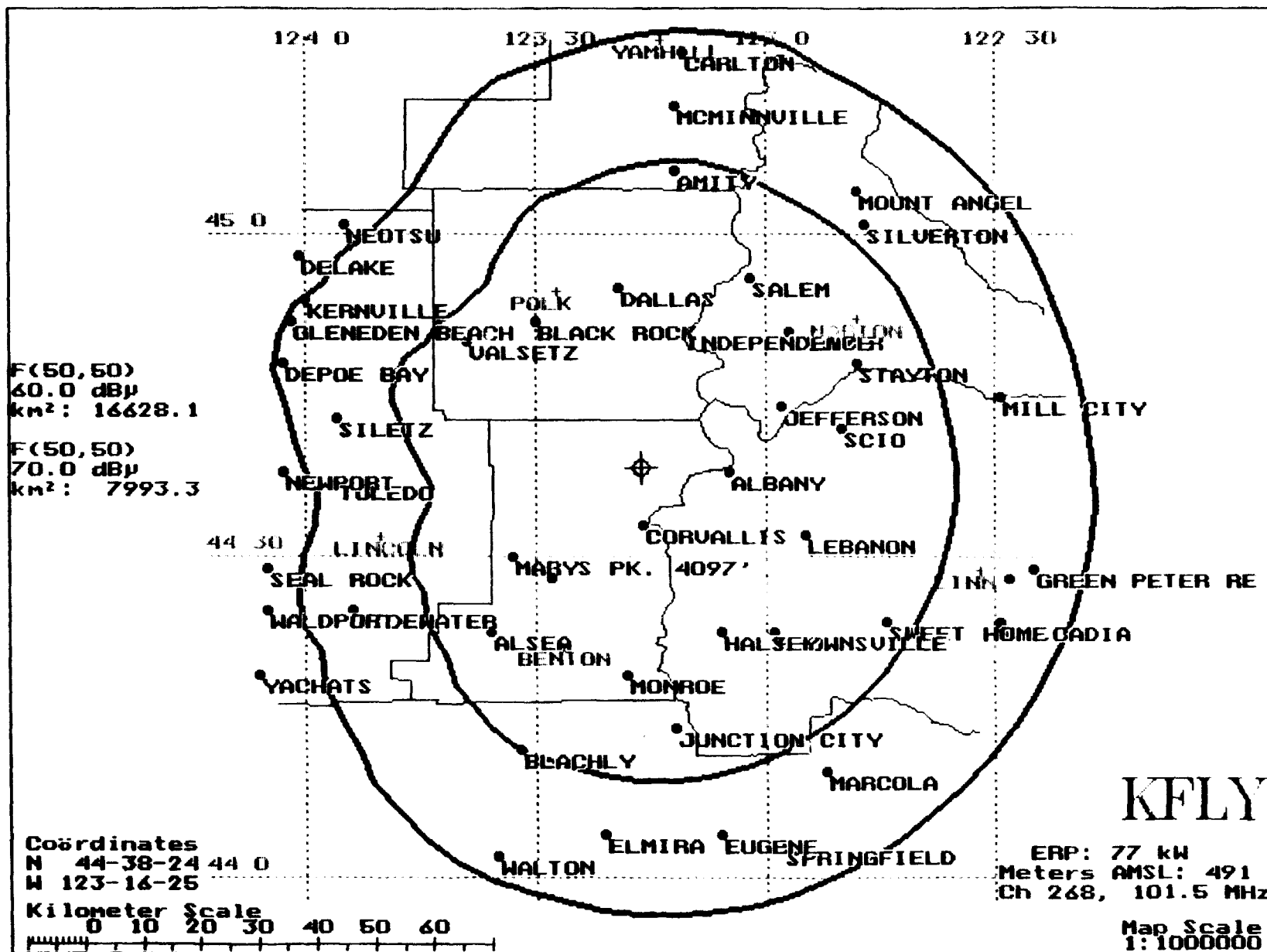


Figure 2

CERTIFICATE OF SERVICE

I, Yvonne Corbett, do hereby certify that on this 3rd day of July, 1996, I have caused to be mailed, or hand-delivered, a copy of the foregoing "CONSOLIDATED JOINT COUNTERPROPOSAL REPLY COMMENTS" to the following:

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Yvonne Corbett

***BY HAND**